



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 1

1 CONGRESS STREET, SUITE 1100
BOSTON, MASSACHUSETTS 02114-2023

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**URGENT LEGAL MATTER
REQUIRES PROMPT RESPONSE**

February 4, 2008

Vicky Brind'Amour, QEP
Director, EHS, Regulatory & Mfg. Standards
Tegant Corporation
800 Fifth Avenue
New Brighton, PA 15066

Re: Clean Air Act Reporting Requirement, Docket No. AAA-08-0004

Dear Ms. Brind'Amour:

The United States Environmental Protection Agency ("EPA") is evaluating whether the Tegant Corporation facility in Putnam, Connecticut ("Tegant") is in compliance with the Clean Air Act (the "Act") and state and federal regulations promulgated under the Act. The regulations include the federally enforceable sections of the Regulations of Connecticut State Agencies (RCSA) Title 22a, Sections 22a-174-1 to 22a-174-200, Abatement of Air Pollution ("Air Pollution Control Regulations").

Section 114(a)(1) of the Act, 42 U.S.C. § 7414(a)(1), gives EPA the authority to require a facility to submit such information as EPA may reasonably require to determine the facility's compliance with the Act. Therefore, within 45 days of the date Tegant receives this reporting requirement, Tegant is required to provide all of the information outlined below for the Putnam facility ("facility") unless otherwise specified. Tegant shall provide all information in its possession or under its control, including information pertaining to periods under the ownership of Tuscarora Incorporated or SCA Packaging North America, Inc. Provide a separate numbered response to each numbered paragraph or subparagraph below:

1. Provide the following information about Tegant:
 - a. Prior owners of the facility. Indicate the prior company names and timeframe of ownership for each prior owner;
 - b. The ownership and business structure;
 - c. The date and state of incorporation;
 - d. Partners or corporate officers;
 - e. Parent and subsidiary corporations;

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- f. The number of employees at the facility; and
 - g. The net worth of the company (if not available, provide gross annual receipts or annual reports since January 1, 2003).
- 2. Provide copies of all records Tegrant used to track the VOC emissions at the facility between January 1, 2003 and December 31, 2007. At a minimum, provide copies of the following reports (or their equivalent) for the time period between January 1, 2003 and December 31, 2007:
 - a. The documents recording the EPS and ARCEL beads received and the associated certificates of analysis documenting the percent pentane in the beads delivered;
 - b. The daily forms used to document the quantity of EPS and ARCEL beads processed and the associated percent pentane for each type of bead processed. Include the forms titled "*Daily Report of Expanded Bead*," "*Pentane Work Sheet*," and "*Daily VOC Report*;"
 - c. The monthly report for EPS emissions "*Monthly VOC Report*;" and
 - d. The annual reports for EPS and ARCEL emissions entitled "*Rolling 12 Month Chemical Emission Report*."
- 3. For 2006 and 2007, provide copies of the annual reports for EPS and ARCEL emissions entitled "*Rolling 12 Month VOC Emission Report*."
- 4. Provide copies of the annual and semi-annual reports required to be submitted by Tegrant's Title V permit from 2003 to 2007, including:
 - a. The annual "Emission Statement" forms including the calculations used to estimate VOC emissions from the EPS and ARCEL processes at Tegrant;
 - b. The annual Title V permit compliance certification reports; and
 - c. The semi-annual monitoring reports
- 5. Provide the monthly and annual average percent pentane in the expandable polystyrene beads processed at Tegrant (or at prior companies "Tuscarora Incorporated" and "SCA Packaging North America, Inc.") from January 1, 1992 through December 31, 2007.
- 6. For 2003 through 2007, estimate the annual quantity of Tegrant's scrap expanded polystyrene (in pounds) Tegrant reused in day to day operations. Also, estimate the annual quantity of scrap expanded polystyrene (in pounds) Tegrant received and reused from other sources. Include copies of the information used to make this estimate.
- 7. For 2003 through 2007, provide the annual average length of time (in days) that expanded polystyrene products were stored on-site. Explain how Tegrant derived this average and include, at a minimum, copies of the daily production records of products produced at the molding machines and records showing the date when these products were shipped offsite.

8. Describe how Tegrant determined that 97 to 98% of the pentane in the original EPS beads is emitted during the processing and storage at the plant. Include all the reports and results of material testing, measurements of emission loss rates and development of average emission loss rates for each EPS and ARCEL process (pre-expansion, aging, molding, and storage) performed at any of Tegrant Corporation's (or at prior companies "Tuscarora Incorporated" and "SCA Packaging North America, Inc.") facilities. Also include any reports or spreadsheets that summarize the results of such testing.
9. Provide the following information (and corresponding documentation) about each polystyrene expander and molding machine that Tegrant currently uses:
 - a. The date of purchase;
 - b. The date installation was completed;
 - c. The date it commenced operating; and
 - d. The name of the manufacturer, model number, size, maximum production rate, and any other operational specifications.
10. Provide a list of all other process equipment (e.g. expanders, pre-puff aging bags, molding machines) and process support equipment (e.g. boilers, compressors) that cost more than \$1,000 that Tegrant (or prior companies "Tuscarora Incorporated" and "SCA Packaging North America, Inc.") purchased since January 1, 1992. Also, for each piece of equipment, provide the following information (and corresponding documentation):
 - a. The purpose/role of the equipment;
 - b. The date of purchase;
 - c. The date installation was completed;
 - d. The date it commenced operating; and
 - e. The name of the manufacturer, model number, size, maximum production rate, and any other operational specifications.

Be aware that if Tegrant does not provide the requested information, EPA may order Tegrant to comply and may assess monetary penalties under Section 113 of the Act, 42 U.S.C. § 7413. Federal law also establishes criminal penalties for providing false information to EPA. This reporting requirement is not subject to Office of Management and Budget review under the Paperwork Reduction Act.

Tegrant may, if desired, assert a business confidentiality claim covering part or all of the information requested, in the manner described by 40 CFR § 2.203(b). Note that certain categories of information are not properly the subject of such a claim. If no such claim accompanies the information when it is received by EPA, the information may be made available to the public by EPA without further notice to Tegrant. Please be aware that the State of Connecticut may have different rules and regulations governing the protection of confidential business information. You are required to submit the above-required information to:

Susan Studlien, Director
Office of Environmental Stewardship
U.S. Environmental Protection Agency, Region I
One Congress Street, Suite 1100
Boston, Massachusetts 02114-2023

Attn: Steven J. Calder, Air Technical Unit (Mail Code SEA).

If you have any questions regarding this reporting requirement, please contact Steven Calder, Environmental Engineer at (617) 918-1744 or have your attorney call Thomas Olivier, Senior Enforcement Counsel at (617) 918-1737.

Sincerely,



Susan Studlien, Director
Office of Environmental Stewardship

cc: Robert Girard, CT DEP